

(14) Television and radio receivers classified under ECCN 5A992 or designated EAR99;

(15) Recording devices classified under ECCN 5A992 or designated EAR99;

(16) Batteries, chargers, carrying cases and accessories for the equipment described in this paragraph that are designated EAR99; and

(17) "Software" (except "encryption source code") classified under ECCNs 4D994, 5D991 or 5D992 or designated EAR99 to be used for equipment described in this paragraph (b).

(c) *Donation requirement.* This License Exception authorizes the export or re-export of eligible commodities and software that will be donated by the exporter or reexporter to an eligible end-user or to eligible end-users free of charge. The payment by an end-user of any handling charges arising within the importing country or any charges levied by the government of the importing country shall not be considered a charge for purposes of this paragraph.

(d) *Eligible end-users—(1) Organizations.* This License Exception may be used to export or reexport eligible commodities and software to and for the use of independent non-governmental organizations. The Cuban Government or the Cuban Communist Party and organizations they administer or control are not eligible end-users.

(2) *Individuals.* This License Exception may be used to export eligible commodities and software to and for the use of individuals other than the following officials of the Cuban Government and Cuban Communist Party:

(i) *Ineligible Cuban Government Officials.* Ministers and vice-ministers; members of the Council of State; members of the Council of Ministers; members and employees of the National Assembly of People's Power; members of any provincial assembly; local sector chiefs of the Committees for the Defense of the Revolution; Director Generals and sub-Director Generals and higher of all Cuban ministries and state agencies; employees of the Ministry of the Interior (MININT); employees of the Ministry of Defense (MINFAR); secretaries and first secretaries of the Confederation of Labor of Cuba (CTC) and its component unions;

chief editors, editors and deputy editors of Cuban state-run media organizations and programs, including newspapers, television, and radio; or members and employees of the Supreme Court (Tribuno Supremo Nacional).

(ii) *Ineligible Cuban Communist Party Officials.* Members of the Politburo; the Central Committee; Department Heads of the Central Committee; employees of the Central Committee; and the secretaries and first secretaries of provincial Party central committees.

[74 FR 45989, Sept. 8, 2009]

SUPPLEMENT NO. 1 TO PART 740—  
COUNTRY GROUPS

COUNTRY GROUP A

Country	[A:1]	[A:2] Missile tech- nology control regime	[A:3] Australia group	[A:4] Nuclear sup- pliers group
Argentina .....		X	X	X
Australia .....	X	X	X	X
Austria <sup>1</sup> .....		X	X	X
Belarus .....				X
Belgium .....	X	X	X	X
Brazil .....		X		X
Bulgaria .....		X	X	X
Canada .....	X	X	X	X
Croatia .....			X	
Cyprus .....			X	X
Czech Republic .....		X	X	X
Denmark .....	X	X	X	X
Estonia .....			X	
Finland <sup>1</sup> .....		X	X	X
France .....	X	X	X	X
Germany .....	X	X	X	X
Greece .....	X	X	X	X
Hong Kong <sup>1</sup> .....				
Hungary .....		X	X	X
Iceland .....		X	X	
Ireland <sup>1</sup> .....		X	X	X
Italy .....	X	X	X	X
Japan .....	X	X	X	X
Kazakhstan .....				X
Korea, South <sup>1</sup> .....		X	X	X
Latvia .....			X	X
Lithuania .....			X	
Luxembourg .....	X	X	X	X
Malta .....			X	
Netherlands .....	X	X	X	X
New Zealand <sup>1</sup> .....		X	X	X
Norway .....	X	X	X	X
Poland .....		X	X	X
Portugal .....	X	X	X	X
Romania .....			X	X
Russia .....		X		X
Slovakia .....			X	X
Slovenia .....			X	X
South Africa .....		X		X
Spain .....	X	X	X	X
Sweden <sup>1</sup> .....		X	X	X
Switzerland <sup>1</sup> .....		X	X	X
Turkey .....	X	X	X	X
Ukraine .....		X	X	X
United Kingdom .....	X	X	X	X

COUNTRY GROUP A—Continued

Country	[A:1]	[A:2] Missile tech- nology control regime	[A:3] Australia group	[A:4] Nuclear sup- pliers group
United States .....	X	X	X	X

<sup>1</sup> Cooperating Countries.

COUNTRY GROUP B—COUNTRIES

Afghanistan	Eritrea
Albania	Estonia
Algeria	Ethiopia
Andorra	Fiji
Angola	Finland
Antigua and Barbuda	France
Argentina	Gabon
Aruba	Gambia, The
Australia	Germany
Austria	Ghana
The Bahamas	Greece
Bahrain	Grenada
Bangladesh	Guatemala
Barbados	Guinea
Belgium	Guinea-Bissau
Belize	Guyana
Benin	Haiti
Bhutan	Honduras
Bolivia	Hong Kong
Bosnia & Herzegovina	Hungary
Botswana	Iceland
Brazil	India
Brunei	Indonesia
Bulgaria	Ireland
Burkina Faso	Israel
Burundi	Italy
Cameroon	Jamaica
Canada	Japan
Cape Verde	Jordan
Central African Republic	Kenya
Chad	Kiribati
Chile	Korea, South
Colombia	Kosovo
Comoros	Kuwait
Congo (Democratic Republic of the)	Latvia
Congo (Republic of the)	Lebanon
Costa Rica	Lesotho
Cote d'Ivoire	Liberia
Croatia	Liechtenstein
Cyprus	Lithuania
Czech Republic	Luxembourg
Denmark	Macedonia, The Former
Djibouti	Yugoslav Republic of
Dominica	Madagascar
Dominican Republic	Malawi
East Timor	Malaysia
Ecuador	Maldives
Egypt	Mali
El Salvador	Malta
Equatorial Guinea	Marshall Islands
	Mauritania
	Mauritius

Mexico	Senegal
Micronesia, Federated States of	Serbia
Monaco	Seychelles
Montenegro	Sierra Leone
Morocco	Singapore
Mozambique	Slovakia
Namibia	Slovenia
Nauru	Solomon Islands
Nepal	Somalia
Netherlands Antilles	South Africa
Netherlands	Spain
New Zealand	Sri Lanka
Nicaragua	Surinam
Niger	Swaziland
Nigeria	Sweden
Norway	Switzerland
Oman	Taiwan
Pakistan	Tanzania
Palau	Thailand
Panama	Togo
Papua New Guinea	Tonga
Paraguay	Trinidad & Tobago
Peru	Tunisia
Philippines	Turkey
Poland	Tuvalu
Portugal	Uganda
Qatar	United Arab Emirates
Romania	United Kingdom
Rwanda	United States
Saint Kitts & Nevis	Uruguay
Saint Lucia	Vanuatu
Saint Vincent and the Grenadines	Vatican City
Samoa	Venezuela
San Marino	Western Sahara
Sao Tome & Principe	Yemen
Saudi Arabia	Zambia
	Zimbabwe

COUNTRY GROUP C [RESERVED]

COUNTRY GROUP D

Country	[D: 1] National Secu- rity	[D: 2] Nu- clear	[D: 3] Chem- ical & Biologi- cal	[D: 4] Missile Tech- nology
Afghanistan .....			X	
Armenia .....	X		X	
Azerbaijan .....	X		X	
Bahrain .....			X	X
Belarus .....	X		X	
Burma .....	X		X	
Cambodia .....	X			
China (PRC) .....	X		X	X
Cuba .....		X	X	
Egypt .....			X	X
Georgia .....	X		X	
India .....		X	X	X
Iran .....		X	X	X
Iraq .....	X		X	X
Israel .....		X	X	X
Jordan .....			X	X
Kazakhstan .....	X		X	
Korea, North .....		X	X	X
Kuwait .....	X		X	X
Kyrgyzstan .....	X		X	
Laos .....	X			

COUNTRY GROUP D—Continued

Country	[D: 1] National Security	[D: 2] Nuclear	[D: 3] Chemical & Biological	[D: 4] Missile Technology
Lebanon .....			X	X
Libya .....	X	X	X	X
Macau .....	X		X	X
Moldova .....	X		X	
Mongolia .....	X		X	
Oman .....			X	X
Pakistan .....		X	X	X
Qatar .....			X	X
Russia .....	X		X	
Saudi Arabia .....			X	X
Syria .....			X	X
Taiwan .....			X	
Tajikstan .....	X		X	
Turkmenistan .....	X		X	
Ukraine .....	X			
United Arab Emirates .....			X	X
Uzbekistan .....	X		X	
Vietnam .....	X		X	
Yemen .....			X	X

COUNTRY GROUP E <sup>1</sup>

Country	[E:1] Terrorist supporting countries <sup>2</sup>	[E:2] Unilateral embargo
Cuba .....	X	X
Iran .....	X	
Korea, North .....	X	
Sudan .....	X	
Syria .....	X	

<sup>1</sup>In addition to the controls maintained by the Bureau of Industry and Security pursuant to the EAR, note that the Department of the Treasury administers:

(a) A comprehensive embargo against Cuba, Iran, and Sudan; and

(b) An embargo against certain persons, e.g., Specially Designated Terrorists (SDT), Foreign Terrorist Organizations (FTO), Specially Designated Global Terrorists (SDGT), and Specially Designated Narcotics Traffickers (SDNT). Please see part 744 of the EAR for controls maintained by the Bureau of Industry and Security on these and other persons.

<sup>2</sup>The President made inapplicable with respect to Iraq provisions of law that apply to countries that have supported terrorism.

[61 FR 12768, Mar. 25, 1996]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting Supplement No. 1 to Part 740, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

SUPPLEMENT NO. 2 TO PART 740—ITEMS THAT MAY BE DONATED TO MEET BASIC HUMAN NEEDS UNDER THE HUMANITARIAN LICENSE EXCEPTION

(a) Health

Equipment for the Handicapped  
Hospital Supplies and Equipment  
Laboratory Supplies and Equipment  
Medical Supplies and Devices  
Medicine-Processing Equipment  
Medicines

Vitamins  
Water Resources Equipment  
Food  
Agricultural Materials and Machinery Suited to Small-Scale Farming Operations  
Agricultural Research and Testing Equipment  
Fertilizers  
Fishing Equipment and Supplies Suited to Small-Scale Fishing Operations  
(b) Food  
Insecticides  
Pesticides  
Seeds  
Small-Scale Irrigation Equipment  
Veterinary Medicines and Supplies  
(c) Clothes and Household Goods  
Bedding  
Clothes  
Cooking Utensils  
Fabric  
Personal Hygiene Items  
Soap-Making Equipment  
Weaving and Sewing Equipment

(d) Shelter

Building Materials  
Hand Tools

(e) Education

Books  
Individual School Supplies  
School Furniture  
Special Education Supplies and Equipment for the Handicapped

(f) Basic Support Equipment and Supplies Necessary To Operate and Administer the Donative Program

Audio-Visual Aids for Training  
Generators  
Office Supplies and Equipment

SUPPLEMENT NO. 3 TO PART 740—LICENSE EXCEPTION ENC FAVORABLE TREATMENT COUNTRIES

Austria	Latvia
Australia	Lithuania
Belgium	Luxembourg
Bulgaria	Malta
Canada	Netherlands
Cyprus	New Zealand
Czech Republic	Norway
Estonia	Poland
Denmark	Portugal
Finland	Romania
France	Slovakia
Germany	Slovenia
Greece	Spain
Hungary	Sweden
Iceland	Switzerland
Ireland	Turkey
Italy	United Kingdom
Japan	

[69 FR 71363, Dec. 9, 2004, as amended at 73 FR 57507, Oct. 3, 2008]